



11-16-06

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PATENT \$

Attorney Docket No.: 6809.220-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Igor Gonda et al.

Confirmation No.: 8982

Application No.: 09/848,774

Group Art Unit: 3743

Filed: May 3, 2001

Examiner: Lewis, Aaron J.

For: A Method Of Treating Diabetes Mellitus In A Patient

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Date of Deposit: November 14, 2006

Express Mail Label No.: EV 450790041 US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Information Disclosure Statement
2. Form PTO-1449
3. Copy of References

is being sent to the United States Patent Office by express mail label no. EV 450790041 US to :

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P.O. Box 1450
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on November 15, 2006

Rashida Haji
(name of person mailing paper)

Rashida Haji
(signature of person mailing paper)



Attorney Docket No.: 6809.220-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Igor Gonda et al. Confirmation No.: 8982
Application No.: 09/848,774 Group Art Unit: 3743
Filed: May 3, 2001 Examiner: Lewis, Aaron J.
For: A Method Of Treating Diabetes Mellitus In A Patient

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

Applicants' attorney wishes to make the Examiner aware of the following co-pending applications which may be related to the instant application: 09/848774, 10/768371, 11/130986, 11/284579, 11/345061, and PCTUS94/01000. Applicants' attorney also notes that application. Serial No. 09/848774 was appealed to the board of appeals and that a decision was rendered on September 7, 2006 affirming the Examiner's rejection of the pending claims and that that decision is the basis of a civil action pursuant to 35 USC 145, which was filed on November 7, 2006 in the United States District Court for the District of Columbia.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

11/17/2006 RFEKADU1 00000001 141447 09848774

01 FC:1806 180.00 DA

Attorney Docket No.: 6809.220-US
Serial No.: 09/848,774; Filed: May 3, 2001
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Title: A Method Of Treating Diabetes Mellitus In A Patient

The references are listed in Form PTO-1449 which is in accordance with the requirements of M.P.E.P. 609. A copy of the International Patent references and article references is also enclosed. US Patent references are available at the United States Patent and Trademark Office.

The references are as follows:

1. US 6,737,045
2. US 5,394,866
3. US 5,192,548
4. US 5,458,135
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It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any questions concerning this paper or the attached references.

This information disclosure statement is being filed **after** the period set forth in 37 C.F.R. 1.97(b), but **before** the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution.

Accompanying this information disclosure statement is the fee set forth in 37 C.F.R. § 1.17(p) (currently \$180.00). The Examiner is hereby authorized to charge Deposit Account No. 14-1447 in the amount of \$180.00. A duplicate of this charge directive is attached.

Respectfully submitted,

Date: November 15, 2006



Marc A. Began, Reg. No. 48,829
Novo Nordisk Inc.
Customer Number 23650
(609) 987-5800

Use the following customer number for all correspondence regarding this application

23650

PATENT TRADEMARK OFFICE

FORM PTO-1449

(Rev. 3-1-95)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. 6809.220-US

Serial No. 09/848,774

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Applicant Igor Gonda et al.

(Use several sheets if necessary)

Filing Date : May 3, 2001

Group 3743

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,737,045					
	5,394,866					
	5,192,548					
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	3,921,637	11/1975				
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	4,211,769	7/1980				
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	4,253,468	3/1981				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449
(Rev. 2-32)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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Serial No. 09/848,774

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		4,294,624	10/1981				
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		4,423,079	12/1983				
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		4,452,239	6/1984				
		4,484,577	11/1984				
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		4,559,298	12/1985				
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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		Newman, S.P., Deposition and Effects of Inhalation Aerosols, Dissertation (1983)
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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